

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

HSBC BANK USA,  
Plaintiff,

v.

SONORA ROGERS, et al.,  
Defendants.

Case No. [15-cv-02933-RS](#)

**ORDER REMANDING ACTION AND  
REQUIRING DEFENDANTS TO SHOW  
CAUSE WHY SANCTIONS SHOULD  
NOT BE IMPOSED**

This is now the fourth time one or more of the defendants have removed this action to federal court. See Order, dated May 13, 2015 in Case No. C 15-01222 RS, reciting history of removals. As explained in the prior orders, there has never been a valid basis for removal; defendants' continued filing of removal notices in the face of those prior orders can no longer be explained as anything other than bad faith attempts to delay. The most recent order included the following language directed at defendants, underlined for emphasis:

Rogers, Mayes, Forbes, and any or all other persons acting with them or on their behalf are hereby expressly warned that any further notices of removal filed in this matter will lead to summary remand and will expose the removing parties to substantial monetary sanctions.

The latest notice of removal, filed by defendant Rogers, offers nothing new. It represents what appears to be blatant defiance of this Court's prior orders. As there is still no legal basis for removal, the action is hereby remanded to Alameda Superior Court.

1 Notwithstanding remand of the action, this Court retains jurisdiction over the defendants  
2 for the sole purpose of determining whether to impose monetary sanctions and/or a pre-filing  
3 review order against them. Accordingly, no later than July 31, 2015, Rogers, Mayes, Forbes shall,  
4 jointly or separately, file briefs and/or declarations explaining any reasons they have why an order  
5 should not be entered against them (1) requiring any or all of them to pay monetary sanctions for  
6 filing frivolous notices of removal, and/or (2) imposing a pre-filing review requirement that would  
7 prevent them from filing any further notices of removal in this court connected with this case,  
8 without prior court approval.

9  
10 **IT IS SO ORDERED.**

11  
12 Dated: June 30, 2015

13  
14   
15 RICHARD SEEBORG  
16 United States District Judge  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28